

REMARKS

In the Office Action of April 9, 2004, the Examiner noted that the parent application Serial No. 10/252,751 became abandoned on August 30, 2003 and therefore, priority to the earlier applications was not granted because of the absence of copendency. This absence of copendency was inadvertent and resulted from the failure to obtain an extension of time to respond to an Office Action in the parent application.

Accordingly, applicant petitioned to revive the parent application. Such petition was granted on May 7, 2004. A copy of the decision granting the petition is enclosed.

With the granting of this Petition to Revive, it is submitted that all requirements for the granting of priority to the parent applications have been established and the granting of such priority is respectfully requested.

In the Office Action of April 9, 2004, claims 18-45 were rejected under § 102 as being anticipated by Habermehl ('780) or ('140) or ('132) or ('162). These are all patents issuing from an application to which the present application is entitled to priority. Accordingly, with the granting of priority of the present application to its respective related applications as requested above, this rejection has now been overcome.

Claims 18-45 were also rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over various claims of related applications. To overcome this rejection, applicant is submitting herewith an appropriate Terminal Disclaimer. Entry of this Terminal Disclaimer is respectfully requested.

In view of the revival of the parent application, the granting of priority as requested above and the filing of the Terminal Disclaimer, it is believed that all claims in the present application are now in condition for allowance and such action is respectfully requested.

An Information Disclosure Statement identifying, and making of record, the prior art cited in the related cases is also enclosed.

Respectfully submitted,

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